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EXAMINER
BELL, MELTIN

ART UNIT	PAPER NUMBER
2129	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/868,664	NICHOLS, STEWART MARK
	Examiner	Art Unit	
	Meltin Bell	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 June 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 June 2001</u> is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/3/06</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

This action is responsive to application **09/868,664** filed 6/20/01 as well as the

Amendment After Non-Final Rejection filed 6/1/05 and Request for Corrected Filing

Receipt filed 1/12/05. Claims 1-20 filed by the applicant have been entered and

examined. Applicant's arguments have been fully considered, but are moot in view of

new grounds of rejection necessitated by amended subject matter in the action on the

merits of claims 1-20 appearing below.

Priority

Acknowledgment is made of applicant's claim for priority based on application

09/218,478 filed in the United States on **12/22/98**.

Claim Objections

Claim 20 is objected to because of the following informalities:

Regarding claim 20:

- 'claim 20' on page 5, line 1 would read well as 'claim 19'

- '(d)(i)' on page 5, line 3 would read well as '(a)(i)'

- '(d)(ii)' on page 5, line 5 would read well as '(a)(ii)'

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Amado United States Patent Number (USPN) 5,701,400 "Method and apparatus for

applying if-then-else rules to data sets in a relational data base and generating from the

results of application of said rules a database of diagnostics linked to said data sets to

aid executive analysis of financial data" (Dec. 23, 1997) in view of *Tatsuoka* USPN

6,260,033 "Method for remediation based on knowledge and/or functionality" (Filed Nov.

16, 1998) in view of *Foster* "FRA: Teaching Financial Accounting with a Goal-Based

Scenario" (September 1995) in view of and in further view of *Bogle et al* USPN

6,353,923 "Active debugging environment for debugging mixed-language scripting

code" (Filed Jan. 30, 1998).

Regarding claim 1:

Amado discloses a computer-implemented (column 96, lines 26-39) method (Title) for

creating a presentation (column 77, lines 20-67; column 78, lines 1-3).

However, *Amado* doesn't explicitly disclose a computer-implemented method for

creating a presentation, comprising: (a) matching a profile against a simulation domain,

wherein the profile comprises a set of criteria and identifies a desired aspect for a

current simulation task, (b) presenting information indicative of a goal, (c) integrating

information that motivates accomplishment of the goal, (d) monitoring progress toward

the goal and providing feedback that further motivates accomplishment of the goal,

wherein the feedback is in accordance with the profile and (e) displaying details of the

computer–implemented method and displaying the presentation as the presentation

executes, wherein the presentation provides a cognitive educational experience while

Tatsuoka teaches (a) matching a profile against a simulation domain (column 64, lines

21-53), wherein the profile comprises a set of criteria (column 47, lines 18-43) and

identifies a desired aspect for a current simulation task, *Foster* teaches (b) presenting

information indicative of a goal (page 178, right column, paragraph 3), (c) integrating

(page 177, left column, paragraphs 1-2) information that motivates accomplishment of

the goal (page 175, GOAL-BASED SCENARIOS section; page 176, left column), (d)

monitoring progress toward the goal and providing feedback (page 185, left column,

paragraphs 2-4) that further motivates accomplishment of the goal, wherein the

feedback is in accordance with the profile and (e) displaying (page 181, The

Recommendation Report section, paragraph 1) the presentation (page 181, Figure 3) as

the presentation executes, wherein the presentation provides a cognitive educational

experience and *Bogle et al* teaches (e) displaying details (column 11, lines 38-49) of the

computer–implemented method (column 7, lines 60-67; column 8, lines 1-38) and

displaying the presentation as the presentation executes, wherein the presentation

provides a cognitive educational experience.

Motivation – The portions of the claimed method would have been a highly desirable

feature in this art for providing the human test subject with the knowledge he does not

have (*Tatsuoka*, column 8, lines 40-46), constructing a realistic task (*Foster*, page 175,

right column, paragraph 2) and debugging a virtual application that contains program

language code from multiple compiled and/or interpreted programming languages

(*Bogle et al*, Abstract). Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made, to modify *Amado* as taught by *Tatsuoka,*

Foster and *Bogle et al* for the purpose of providing the human test subject with the

knowledge he does not have, constructing a realistic task and debugging a virtual

application through programming realistic simulation/presentation domain objectives as

a function of student knowledge goals.

Regarding claim 2:

The rejection of claim 2 is similar to that for claim 1 as recited above since the stated

limitations of the claim are set forth in the references. Claim 2's limitations difference

teachings: instantiating (*Tatsuoka*: column 61, lines 49-67) a particular (*Tatsuoka*:

column 41, lines 64-67, column 42, lines 1-32) feedback (*Tatsuoka*: column 46, lines

59-67, column 47, lines 1-43) model based on characteristics (*Tatsuoka*: column 39,

lines 50-60) of a target user.

Regarding claim 3:

The rejection of claim 3 is similar to that for claim 1 as recited above since the stated

limitations of the claim are set forth in the references. Claim 3's limitations difference

teachings: receiving (*Amado*: column 32, lines 60-67, column 33, lines 1-6) and

analyzing (*Amado*: column 68, lines 1-9) user responses using an expert system

(*Amado*: column 76, lines 66-67, column 77, lines 1-67, column 78, lines 1-3) to

determine details of the computer-implemented method (*Amado*: column 96, lines 26-

39) to display.

Regarding claim 4:

The rejection of claim 4 is similar to that for claim 1 as recited above since the stated

limitations of the claim are set forth in the references. Claim 4's limitations difference

teachings: browsing details of an object (*Bogle et al*: column 10, lines 57-64) as the

presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 5:

The rejection of claim 5 is similar to that for claim 1 as recited above since the stated

limitations of the claim are set forth in the references. Claim 5's limitations difference

teachings: displaying source code (*Bogle et al*: column 10, lines 57-64) of the

presentation as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 6:

The rejection of claim 6 is similar to that for claim 1 as recited above since the stated

limitations of the claim are set forth in the references. Claim 6's limitations difference

teachings *Bogle et al*: modifying (*Bogle et al*: column 13, lines 11-24) the presentation

based on user indicia as the presentation executes (*Bogle et al*: column 13, lines 50-

67).

Regarding claim 7:

The rejection of claim 7 is similar to that for claims 1 and 3 as recited above since the stated limitations of the claim are set forth in the references. Claim 7's limitations difference teachings: capturing (*Foster*: page 180, paragraphs 2-3, page 181, left column, paragraphs 1-2, page 183, left column, paragraph 2) portions (*Foster*: page 182, Figure 4; *Tatsuoka*: column 8, lines 47-53, column 47, lines 55-67, column 48, lines 1-17, column 68, lines 33-55) of the presentation in response to user indicia (*Foster*: page 181, The Recommendation Report section, paragraph 2) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 8:

The rejection of claim 8 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the references. Claim 8's limitations difference teachings: tailoring (*Tatsuoka*: column 7, lines 53-61) feedback (*Tatsuoka*: column 46, lines 59-67, column 47, lines 1-43) based on user indicia (*Tatsuoka*: column 39, lines 50-60) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 9:

The rejection of claim 9 is similar to that for claim 1 as recited above since the stated limitations of the claim are set forth in the references. Claim 9's limitations difference teachings: presenting a tailored (*Tatsuoka*: column 7, lines 53-61) simulation (*Tatsuoka*: column 64, lines 21-63) based on user indicia (*Tatsuoka*: column 39, lines 50-60) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Claims 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Amado in view of *Gardner et al* USPN 5,239,617 "Method and apparatus providing an

intelligent help explanation paradigm paralleling computer user activity" (Aug. 24, 1993)

in view of *Tatsuoka* in view of *Foster* and in further view of *Bogle et al.*

Regarding claim 10:

Amado discloses an apparatus (Title) that creates a presentation (column 77, lines 20-

67; column 78, lines 1-3), comprising: logic (column 32, lines 1-31).

However, *Amado* doesn't explicitly disclose an apparatus that creates a presentation,

comprising: (a) a processor that runs a computer program to create the presentation, (b)

a memory that stores information under the control of the processor, (c) logic that

matches, a profile, a simulation domain, wherein the profile comprises a set of criteria

and a desired aspect for a current simulation task, (d) logic that presents information

indicative of a goal, (e) logic that integrates information that motivates accomplishment

of the goal, (f) logic that monitors progress toward the goal and provides feedback that

further motivates accomplishment of the goal, wherein the feedback is in accordance

with the profile and (g) logic that displays details of the computer program and that

displays the presentation as the presentation executes, wherein the presentation

provides a cognitive educational experience while *Gardner et al* teaches (a) a processor

(column 3, lines 67-68; column 4, lines 1-14) that runs (column 10, lines 53-70; column

11, lines 1-15) a computer program to create the presentation and (b) a memory that

stores (column 7, lines 44-68; column 8, lines 1-16) information under the control of the

processor, *Tatsuoka* teaches (c) logic (Figs. 3-4, 11) that matches a profile against a

simulation domain (column 64, lines 21-53), wherein the profile comprises a set of

criteria (column 47, lines 18-43) and identifies a desired aspect for a current simulation

task (column 53, lines 8-45), Foster teaches (d) logic (page 181, Figure 3) that presents

information indicative of a goal (page 178, right column, paragraph 3), (e) logic that

integrates (page 177, left column, paragraphs 1-2) information that motivates

accomplishment of the goal (page 175, GOAL-BASED SCENARIOS section; page 176,

left column), (f) logic that monitors progress toward the goal and provides feedback

(page 185, left column, paragraphs 2-4) that further motivates accomplishment of the

goal, wherein the feedback is in accordance with the profile and (g) logic that displays

(page 181, The Recommendation Report section, paragraph 1) the presentation (page

181, Figure 3) as the presentation executes, wherein the presentation provides a

cognitive educational experience and Bogle et al teaches (g) logic (Fig. 7) that displays

details (column 11, lines 38-49) of the computer program (column 7, lines 60-67;

column 8, lines 1-38) and that displays the presentation as the presentation executes,

wherein the presentation provides a cognitive educational experience.

Motivation – The portions of the claimed apparatus would have been a highly desirable

feature in this art for achieving a user goal and explanations tailored to what the system

perceives such goal to be (Gardner et al, column 3, lines 50-55), providing the human

test subject with the knowledge he does not have (Tatsuoka, column 8, lines 40-46),

constructing a realistic task (Foster, page 175, right column, paragraph 2) and

debugging a virtual application that contains program language code from multiple

compiled and/or interpreted programming languages (Bogle et al, Abstract). Therefore,

it would have been obvious to one of ordinary skill in the art at the time the invention

was made, to modify *Amado* as taught by *Gardner et al, Tatsuoka, Foster* and *Bogle et*

al for the purpose of achieving a user goal, providing the human test subject with the

knowledge he does not have, constructing a realistic task and debugging a virtual

application through programming realistic simulation/presentation domain objectives as

a function of student knowledge goals.

Regarding claim 11:

The rejection of claim 11 is similar to that for claim 10 as recited above since the stated

limitations of the claim are set forth in the references. Claim 11's limitations difference

teachings: logic that instantiates (*Tatsuoka*: column 61, lines 49-67) a particular

(*Tatsuoka*: column 41, lines 64-67, column 42, lines 1-32) feedback (*Tatsuoka*: column

46, lines 59-67, column 47, lines 1-43) model based on characteristics (*Tatsuoka*:

column 39, lines 50-60) of a target user.

Regarding claim 12:

The rejection of claim 12 is similar to that for claim 10 as recited above since the stated

limitations of the claim are set forth in the references. Claim 12's limitations difference

teachings: logic that receives (*Amado*: column 32, lines 60-67, column 33, lines 1-6)

and analyzes (*Amado*: column 68, lines 1-9) user responses using an expert system

(*Amado*: column 76, lines 66-67, column 77, lines 1-67, column 78, lines 1-3) to

determine details of the computer program (*Amado*: column 96, lines 26-39) to display.

Regarding claim 13:

The rejection of claim 13 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the references. Claim 13's limitations difference teachings: logic that browses details of an object (*Bogle et al*: column 10, lines 57-64) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 14:

The rejection of claim 14 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the references. Claim 14's limitations difference teachings: logic that displays source code (*Bogle et al*: column 10, lines 57-64) of the presentation as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 15:

The rejection of claim 15 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the references. Claim 15's limitations difference teachings: logic that modifies (*Bogle et al*: column 13, lines 11-24) the presentation based on user indicia as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 16:

The rejection of claim 16 is similar to that for claim 10 as recited above since the stated limitations of the claim are set forth in the references. Claim 16's limitations difference teachings: logic that captures (*Foster*: page 180, paragraphs 2-3, page 181, left column, paragraphs 1-2, page 183, left column, paragraph 2) portions (*Foster*: page 182, Figure 4; *Tatsuoka*: column 8, lines 47-53, column 47, lines 55-67, column 48, lines 1-17,

column 68, lines 33-55) of the presentation in response to user indicia (*Foster*: page

181, The Recommendation Report section, paragraph 2) as the presentation executes

(*Bogle et al*: column 13, lines 50-67).

Regarding claim 17:

The rejection of claim 17 is similar to that for claim 10 as recited above since the stated

limitations of the claim are set forth in the references. Claim 17's limitations difference

teachings: logic that tailors (*Tatsuoka*: column 7, lines 53-61) feedback (*Tatsuoka*:

column 46, lines 59-67, column 47, lines 1-43) based on user indicia (*Tatsuoka*: column

39, lines 50-60) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Regarding claim 18:

The rejection of claim 18 is similar to that for claim 10 as recited above since the stated

limitations of the claim are set forth in the references. Claim 18's limitations difference

teachings: logic that presents a tailored (*Tatsuoka*: column 7, lines 53-61) simulation

(*Tatsuoka*: column 64, lines 21-63) based on user indicia (*Tatsuoka*: column 39, lines

50-60) as the presentation executes (*Bogle et al*: column 13, lines 50-67).

Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Moran et al USPN 6,018,346 "Freeform graphics system having meeting objects for

supporting meeting objectives" (Filed Jan. 12, 1998) in view of *Tatsuoka* in view of

Foster and in further view of *Bogle et al*.

Regarding claim 19:

Moran et al discloses a computer-readable medium (column 5, lines 10-40) for creating a presentation (column 20, lines 12-25) and having computer-executable instructions to perform steps (column 11, lines 43-67; column 12, lines 1-8).

However, *Moran et al* doesn't explicitly disclose a computer-readable medium for creating a presentation and having computer-executable instructions to perform steps comprising: (a) matching a profile against a simulation domain, wherein the profile comprises a set of criteria and identifies a desired aspect for a current simulation task, (b) presenting information indicative of a goal, (c) integrating information that motivates accomplishment of the goal, (d) monitoring progress toward the goal and providing feedback that further motivates accomplishment of the goal, wherein the feedback is in accordance with the profile and (e) displaying details of the computer–implemented method and displaying the presentation as the presentation executes, wherein the presentation provides a cognitive educational experience while *Tatsuoka* teaches (a) matching a profile against a simulation domain (column 64, lines 21-53), wherein the profile comprises a set of criteria (column 47, lines 18-43) and identifies a desired aspect for a current simulation task, *Foster* teaches (b) presenting information indicative of a goal (page 178, right column, paragraph 3), (c) integrating (page 177, left column, paragraphs 1-2) information that motivates accomplishment of the goal (page 175, GOAL-BASED SCENARIOS section; page 176, left column), (d) monitoring progress toward the goal and providing feedback (page 185, left column, paragraphs 2-4) that further motivates accomplishment of the goal, wherein the feedback is in accordance

with the profile and (e) displaying (page 181, The Recommendation Report section,

paragraph 1) the presentation (page 181, Figure 3) as the presentation executes,

wherein the presentation provides a cognitive educational experience and *Bogle et al*

teaches (e) displaying details (column 11, lines 38-49) of the computer–implemented

method (column 7, lines 60-67; column 8, lines 1-38) and displaying the presentation as

the presentation executes, wherein the presentation provides a cognitive educational

experience.

Motivation – The portions of the claimed medium would have been a highly desirable

feature in this art for providing the human test subject with the knowledge he does not

have (*Tatsuoka*, column 8, lines 40-46), constructing a realistic task (*Foster*, page 175,

right column, paragraph 2) and debugging a virtual application that contains program

language code from multiple compiled and/or interpreted programming languages

(*Bogle et al*, Abstract). Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made, to modify *Moran et al* as taught by *Tatsuoka,*

Foster and *Bogle et al* for the purpose of providing the human test subject with the

knowledge he does not have, constructing a realistic task and debugging a virtual

application through programming realistic simulation/presentation domain objectives as

a function of student knowledge goals.

Regarding claim 20:

The rejection of claim 20 is similar to that for claim 19 as recited above since the stated

limitations of the claim are set forth in the references. Claim 20's limitations difference

is taught in *Tatsuoka*: (d)(i) identifying a subset (column 44, lines 30-61) of the

simulation domain from at least one characteristic (column 39, lines 41-67; column 40,

lines 1-35) of the profile; and (d)(ii) determining the feedback (column 45, lines 30-58) in

accordance with the subset of the simulation domain.

RESPONSE TO APPLICANTS' AMENDMENT REMARKS

Information Disclosure Statement (IDS)

Including missing submissions (*De Lange* WO 9832109, *McArthur* "Artificial

Intelligence and Mathematics Education", *Lai et al* "Object lens: a 'spreadsheet' for

cooperative work", *Cooper et al* "Rule-Based Programming with OPS5" and *Cleary et al*

"Practical methods for automatically generating typed links", missing page 36 only),

please find with this action numerous corrections made in reconsidering applicant's

2/7/02 IDS: In noting the year of publication for McArthur's "The Roles of Artificial

Intelligence in Education" as 1993, the applicant is requested to compare the subject

matter in other version(s) of the document (80 page, for example) suggested in

http://www.rand.org/pubs/drafts/DRU472 with the 42 page version previously submitted.

A comment on any differences between the other version(s) pertinent to the

patentability of the instant invention is solicited with relevant citations. A submission of

the version(s) with any patentably pertinent differences will also be required.

Claim Objections

The examiner notes the amendments to claims 6-9 and 15-18 (Amendment

REMARKS page 6, Claim Objections section) for overcoming the earlier objection to

claims 6-9 and 15-18. However, applicant's new claim 20 is objected to because of the following informalities: 'claim 20' on page 5, line 1 would read well as 'claim 19', '(d)(i)' on page 5, line 3 would read well as '(a)(i)' and '(d)(ii)' on page 5, line 5 would read well as '(a)(ii)'.

Claim Rejections - 35 USC § 103

Applicant argues that the combination of *Zeller et al* "DDD – A Free Graphical Front-End for Unix Debuggers" and *Cook et al* W.I.P.O International Publication No. (WO) 97/44766 fails to teach or even suggest the features of

- matching a profile against a simulation domain, wherein the profile comprises a set of criteria and identifies a desired aspect for a current simulation task and

- monitoring progress toward the goal and providing feedback that further motivates accomplishment of the goal, wherein the feedback is in accordance with the profile

(Amendment REMARKS page 7, paragraphs 2-3). Applicant's arguments have been fully considered, but are moot in view of new grounds of rejection.

In agreeing that *Cook et al* and *Zeller et al* taken either individually or in combination do not disclose the methods, apparata and media of the inventions defined in claims 1-20, the examiner notes the new issue raised: matching a profile against a simulation domain, wherein the profile comprises a set of criteria and identifies a desired aspect for a current simulation task. As a result of the foregoing, column 64,

lines 21-53 and column 47, lines 18-43 of *Tatsuoka* United States Patent Number

(USPN) 6,260,033 and page 185, left column, paragraphs 2-4 of *Foster* "FRA: Teaching

Financial Accounting with a Goal-Based Scenario", respectively, are cited individually

and in combination with *Amado* USPN 5,701,400, *Bogle et al* USPN 6,353,923, *Gardner*

et al USPN 5,239,617 and *Moran et al* USPN 6,018,346 for explicitly and inherently

disclosing the subject matter in the claims argued by the applicants.

Through programming realistic simulation/presentation domain objectives as a

function of student knowledge goals, the motivations for combining the references

include providing the human test subject with the knowledge he does not have

(*Tatsuoka*, column 8, lines 40-46), constructing a realistic task (*Foster*, page 175, right

column, paragraph 2), debugging a virtual application that contains program language

code from multiple compiled and/or interpreted programming languages (*Bogle et al*,

Abstract), achieving a user goal and explanations tailored to what the system perceives

such goal to be (*Gardner et al*, column 3, lines 50-55), allowing sets of rules to be

learned from training data and simulated problem models (*Amado*, column 12, lines 47-

54) and trying to provide tools on an electronic whiteboard, such as the LiveBoard, that

are finely tuned to a variety of different meeting practices (*Moran et al*, column 12, lines

63-67; column 13, lines 1-5).

As set forth above with regards to *Tatsuoka, Foster, Amado, Bogle et al, Gardner et*

al and *Moran et al*, the items listed explicitly and inherently teach each element of the

applicants' claimed limitations. Applicants have not set forth any distinction or offered

any dispute between the claims of the subject application, *Tatsuoka*'s Method for

remediation based on knowledge and/or functionality, *Foster*'s FRA: Teaching Financial

Accounting with a Goal-Based Scenario, *Amado*'s Method and apparatus for applying if-

then-else rules to data sets in a relational data base and generating from the results of

application of said rules a database of diagnostics linked to said data sets to aid

executive analysis of financial data, *Bogle et al*'s Active debugging environment for

debugging mixed-language scripting code, *Gardner et al*'s Method and apparatus

providing an intelligent help explanation paradigm paralleling computer user activity and

Moran et al's Freeform graphics system having meeting objects for supporting meeting

objectives.

New Claims

Applicant argues that new claims 19-20 are supported by the specification as

originally filed on page 9, lines 3-34 (Amendment REMARKS page 8, New Claims

section). Even if the specification did not support new claims 19-20 or amended claims

1, 6-10 and 15-18, earlier admitted prior art and the above response to the 6/1/05

amendment should convince the applicant that the instant invention's subject matter

related to an apparatus that creates or a computer-implemented method and computer-

readable medium for creating a presentation having computer-executable instructions is

not patentably novel over the prior art: *Anderson et al* USPN 5,576,844 column 4, lines

12-46, column 7, lines 9-35, column 9, lines 12-17, column 12, lines 14-59 (Fig. 8) and

column 23, lines 4-22, for example.

Conclusion

The following prior art made of record is considered pertinent to applicant's

disclosure:

- *Jones et al;* US 5644334 A; Status indicators of an improved graphical user interface

- *Gregory et al;* US 5937190 A; Architecture and methods for a hardware description

language source level analysis and debugging system

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January 3, 2006

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